

Attorneys for Defendant

TERRY MARTINEZ,  
Plaintiff,

V.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,<sup>1</sup>  
Defendant.

**STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT FOR  
PLAINTIFF**

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 a new decision.

2 The parties further request that the Clerk of the Court be directed to enter a final judgment in  
3 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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5 Dated: October 20, 2021

Respectfully submitted,

6 ROHFLING & KALAGIAN, LLP

7 /s/ Marc V. Kalagian

MARC V. KALAGIAN

8 (\*as authorized via email on October 19, 2021)

9 Attorney for Plaintiff

10 Dated: October 20, 2021

Respectfully submitted,

11 CHRISTOPHER CHIOU

12 Acting United States Attorney

13 /s/ Allison J. Cheung

14 ALLISON J. CHEUNG

15 Special Assistant United States Attorney

16 Attorneys for Defendant

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19 The Clerk's Office is further  
20 INSTRUCTED to close this case.

IT IS SO ORDERED:

21   
HON. NANCY J. KOPPE

UNITED STATES MAGISTRATE JUDGE

22 DATED: October 20, 2021  
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